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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,218	12/18/2001	Norio Shigematsu	YMOR: 232	3677
7590	03/02/2004		EXAMINER	
Parkhurst & Wendel 1421 Prince Street Suite 210 Alexandria, VA 22314-2805			SLAVITT, MITCHELL R	
			ART UNIT	PAPER NUMBER
			2651	
			DATE MAILED: 03/02/2004	7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/018,218	SHIGEMATSU, NORIO	
Examiner	Art Unit		
Mitchell R Slavitt	2651		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 March 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 19 December 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kokami et al. (Kokami).

Regarding claims 1-3 Kokami teaches a spindle motor (102) in Fig 1. A driving current to the spindle motor is not shown in the Fig. It is inherent that a driving current be connected to the spindle motor since power is needed to rotate the discs. Switching and selecting between a pulse-width modulation mode and a linear driving mode is taught at col 2, para [0031] and page 3, para [0037]. A higher level system, compensation circuit, is taught at col 2, para [0032]. Kokami does not teach supplying the spindle motor with the two current modes. At the time of the invention it would have been obvious to use the switching and selecting modes for current output taught by Kokami to provide current to other devices of a disc drive, such as the spindle motor, that can result in reduced heat and save power when required.

Regarding claims 4-6, the selection between high and low through rates are an obvious variation of the method and apparatus of claims 1-3 since there would likely be a requirement to increase or decrease the spindle speed.

Regarding claims 7-9, the use of a serial port and serial interface is well known in the art and its application is an obvious variation of the method and apparatus of claims 1-3.

Regarding claims 10-12, the use of a serial port and serial interface combined with the selection between high and low through rates are variations of the method and apparatus of claims 1-3.

Regarding claims 13-18, the element of the claim relating to using the PWM mode when sound is not a serious problem is an intended use rather than a proper claim limitation and therefore rejected for the same reasons as indicated for claims 1-3.

Prior Art

3. The following prior art of record is not relied upon but is cited as being relevant to the applicant's invention. Mortazavi et al. teaches a PWM/Linear driver for a disc drive.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitchell R Slavitt whose telephone number is (703) 305-2809. The examiner can normally be reached on M-F (6:30-4:00), 2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on (703) 308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

MS *m5*
2/24/04